IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30333 of 2007(J)

PETITIONER:

O.P.POULOSE,
CONTRACTOR, OMBALAYIL HOUSE,
KOLENCHERRY, ERNAKULAM.

BY ADV. SRI.C.J.XAVIER
SMT.NIDHI BALACHANDRAN

RESPONDENTS:

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1. **THE COMMERCIAL TAX INSPECTOR,**
   COMMERCIAL TAX CHECK POST, WALAYAR.

2. **THE COMMERCIAL TAX OFFICER,**
   (WORKS CONTRACT AND LUXURY WORKS),
   OFFICE OF THE DEPUTY COMMISSIONER, COMMERCIAL TAXES, MATTANCHERRY.

3. **THE COMMERICAL TAX OFFICER(ENQUIRY),**
   OFFICE OF THE DEPUTY COMMISSIONER,
   PALAKKAD.

4. **THE SALES TAX OFFICER,**
   IIND CIRCLE, PALAKKAD.

5. **THE SUB TREASURY OFFICER,**
   PALAKKAD.

6. **THE INSPECTING ASST. COMMISSIONER(INT),**
   WALAYAR.

BY GOVERNMENT PLEADER SRI.K.P.PRADEEP

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

ANTONY DOMINIC,J.

W.P (C) No. 30333 of 2007

Dated this the 15th October, 2007

J U D G M E N T

Under Exhibit-P2 notice, goods brought by the petitioner were detained at the check post and following this security was furnished as per Exhibit-P5. While adjudication has not been completed petitioner seeks release of the security. In view of the fact that goods were released on the security furnished by the petitioner, before the completion of the adjudication, security cannot be ordered to be released. Therefore, the only order that can be passed at this stage is to direct an expeditious completion of the enquiry following Exhibit-P2.

2. I heard the Learned Government Pleader also in this respect.

3. Taking into account the facts as above, I dispose of this writ petition directing the 5th respondent to complete the enquiry pursuant to Exhibit-P3, as expeditiously as possible, at any rate, within three weeks from the date of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 5th respondent, for compliance.

(ANTONY DOMINIC, JUDGE)

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K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007